REMARKS

Claims 1-12 and 24 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-12, 16 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0028811 (Walker) in view of U.S. Patent Publication No. 2002/0010679 (Felsher) and in further view of U.S. Patent Publication No. 2002/0021805 (Schumann) and U.S. Patent No. 5,978,495 (Thomopoulous). This rejection is respectfully traversed.

Walker is directed generally to a system that authorizes resource access based on fingerprint data. However, as noted by the Examiner, this reference is deficient in many respects. Of interest, Walker fails to disclose each of a fingerprint matching module, an authorization module, and a resource access module. Moreover, Walker fails to teach or suggest an architecture for securely communicating between such modules as recited in Applicant's claimed invention.

The Examiner relies on Schumann to teach this aspect of the present invention. Schumann is directed generally to a digital content distribution system. This reference does not in any way relate to authorizing resource access based on human fingerprints. As previously discussed, terminology of "fingerpringing" refers to adding digital watermarks to content data (e.g., see paragraph [0054]). Therefore, Applicant asserts there is no teaching, suggestion or motivation to combine this reference with the

teachings of Walker. Without a teaching, suggestion or motivation found in Schumann, it is improper to combine these two references to establish a rejection of obviousness.

On the other hand, Applicant's invention is directed generally to a secure access system which uses fingerprint data. The secure access system is particularly configured so that it is resistant to tampering or attack by hackers. Each module operates using encrypted data and stores its output data in an encrypted form designed only to be read by other modules within the system. A decryption service module is used to provide decryption services to each module. Thus, the system is designed to make it difficult for hackers to spoof a given module by supplying data that mimics the output of another module. This architecture is particularly suitable for implementation across a network. None of the relied upon references teach or suggest a similar architecture. Therefore, it is respectfully submitted that Claim 1, along with claims depending therefrom, defines patentable subject matter over these relied upon references.

Claims 13, 15, 17, 18, 19 and 21-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Walker in view of Schumann and Thomopoulous. This rejection is respectfully traversed.

It order to expedite prosecution of this application, Claims 13-23 have been cancelled from the present application, thereby rending this rejection moot. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: Nov. 11, 2004

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